

# HERITAGE IMPACT STATEMENT



Nos. 104-116 Regent Street, Redfern

December 2021 | J4734

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and Planning

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## 1.0 INTRODUCTION

### 1.1 Preamble

This Heritage Impact Statement (HIS) has been prepared in conjunction with a Development Application for the construction of a multi-storey student accommodation building at Nos. 104-116 Regent Street, Redfern, New South Wales. There is an existing DA (D/2020/1095) to demolish the existing structures on the site.

The site is located within the Sydney Council area. The principal planning control for the site is the *State Environmental Planning Policy (Major Development) Amendment (Redfern—Waterloo Authority Sites) 2012*. (SSP SEPP) The site is not listed as a heritage item on the State Environmental Planning Policy (Major Development) 2005 Redfern-Waterloo Authority Sites - Heritage Map under Appendix 4 of the *SSP SEPP 2012*. It does, however, lie adjacent to a heritage item identified by this the *Sydney Local Environment Plan 2012 (LEP 2012)* Schedule 5 Part 1 and, given the scale of the proposed new building, within the vicinity of other items listed by this Schedule. The site also lies within the vicinity of a Conservation Area listed by Schedule 5 Part 2 of the *LEP 2012*.

Under Part 27 of the *SSP SEPP 2012*:

#### 27 Heritage conservation

(1) A person must not, in respect of a building, work, relic, tree or place that is a heritage item—

- (a) demolish, dismantle, move or alter the building, work, relic, tree or place, or
- (b) damage or remove the relic, or
- (c) excavate land for the purpose of discovering, exposing or moving the relic, or
- (d) damage or despoil the tree or place, or
- (e) erect a building on, or subdivide, land on which the building, work or relic is situated or that comprises the place, or
- (f) damage any tree or land on which the building, work or relic is situated on or on the land which comprises the place, or
- (g) make structural changes to the interior of the building or work,

except with the consent of the consent authority.

(2) However, consent under this clause is not required if the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—

- (a) is of a minor nature, or is for the maintenance of the heritage item, and
- (b) would not adversely affect the significance of the heritage item.

(3) In this clause, heritage item means a building, work, relic, tree or place that is indicated as a heritage item on the Heritage Map. (4) Effect of proposed development on heritage significance

The appropriate heritage management document in this instance is a Heritage Impact Statement (HIS).

This statement has been prepared at the request of the owners of the site and is to be read in conjunction with plans by Antoniades Architects.

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## 1.2 Authorship

This HIS was prepared by Lachlan Paul Marshall, B.A. (His.), M.St. (Build.Hist.), (cand.), and James Phillips, B.Sc.(Arch.), B.Arch., M.Herit.Cons.(Hons), of Weir Phillips Heritage and Planning.

## 1.3 Limitations

The brief for this report did not provide for an archaeological assessment. Although approval has been obtained for the demolition of the existing structures on the site, a brief history of the site, the surrounding area and the heritage listed church adjacent to the site, is provided to provide a context for assessment.

The brief did not provide for the heritage assessment of items in the vicinity from first principles. Information from the readily available sources listed in Section 1.6 below was relied upon.

## 1.4 Methodology

This assessment has been prepared with reference to the *NSW Heritage Manual* update *Statements of Heritage Impact* (2002) and with reference to the Council planning controls listed under Section 1.6.

## 1.5 Physical Evidence

A site visit was carried out in February 2021. Unless otherwise stated, the photographs contained in this statement were taken by the authors on this occasion.

## 1.6 Documentary Evidence

### 1.6.1 Heritage Listing Sheets

- *St Luke's Presbyterian Church including interior*, 118 Regent Street, Redfern, NSW 2016. State Heritage Inventory Database No.: 2421173.
- *Terrace House Including Interior*, 181 Regent Street REDFERN 2016, State Heritage Inventory Database No.: 2421175
- *Eveleigh Railway Workshops*, Great Southern and Western Railway REDFERN NSW 2016. State Heritage Inventory Database No.: 2420029.
- *Eveleigh Railway Workshops*, Wilson Street EVELEIGH NSW 2015. State Heritage Inventory Database No.: 4801102
- *Eveleigh Railway Workshops*, Great Southern and Western Railway REDFERN NSW 2016. State Heritage Inventory Database No.: 5045103.
- *Redfern Railway Station Group*, Great Southern and Western Railway REDFERN NSW 2016. State Heritage Inventory Database No.: 2420218.
- *Redfern Railway Station Group*, Great Southern and Western Railway REDFERN NSW 2016. State Heritage Inventory Database No.: 4801095.
- *Redfern Railway Station Group*, Great Southern and Western Railway REDFERN NSW 2016. State Heritage Inventory Database No.: 5012154.
- *Redfern Estate Heritage Conservation Area*, REDFERN NSW 2016 State Heritage Inventory Database No.: 2421496

### 1.6.2 Planning Documents

- *State Environmental Planning Policy (Major Development) Amendment (Redfern—Waterloo Authority Sites) 2012.*
- *Sydney Development Control Plan 2012.*
- *Sydney Local Environmental Plan 2012.*

### 1.6.3 Historic Maps and Images

- N.S.W. Department of Lands, (*Aerial Photograph over Redfern*), 1943. SIX Maps.
- F. Cunninghame & Co Ltd, '*Gibbons' Estate Redfern*', 1937. State Library of New South Wales.



- N.S.W. Department of Lands, 'Detail from an undated Plan of the Parish of Alexandria, County of Cumberland, NSW'. NSW Lands, Parish Preservation Project.
- George Renwick, 'City Trigonometrical Survey, Section 152, Plan of Redfern Municipality', 1864. City of Sydney Archives.
- N.S.W. Department of Lands, 'Sydney Metropolitan Detail Series, Redfern Section 18, 1888.'
- City Engineer's Department, 'Civic Survey, Redfern', 1938-1950, City of Sydney Archives.
- City Engineer's Photographic Negatives 'Accident site, Regent Street Redfern', 1965, City of Sydney Archives.

### 1.6.3 General References

- Application to Bring Lands Under the Real Property Act, No. 6165, NSW LPI.
- Barrie Dyster, 'Wealth and Progress: Studies in Australian Business History' cited in part of online paper at <http://scholars.nus.edu.sg/post/australia/austecon.html>.
- Charles Smith Memorial, January 1810 cited in Tropman and Tropman, *South Sydney Heritage Study, Volume 1*. Unpublished study prepared for South Sydney Council 1988, p.24.
- Douglas Pike (gen.ed.), *Australian Dictionary of Biography, Volume 2: 1788-1850 I-Z*, Victoria, Melbourne University Press, 1967, pp.368-70.
- *John Sands Sydney and Suburban Directories of 1885 and 1925*
- Souvenir Municipal Jubilee, Redfern 1859-1909, n.p.
- Statistics cited in Max Kelly, 'Picturesque and Pestilential: The Sydney Slum Observed 1860-1900', in Max Kelly (ed.), *Nineteenth Century Sydney: Essays in Urban History*, NSW, Sydney University Press in association with the Sydney History Group, 1978, p.70.
- The Sydney Morning Herald, Thu 27 Apr 1911, Page 13,
- *The Rev. T. J. Curtis and St. Luke's Church, Redfern*; The Sydney Morning Herald Sat 15 Apr 1911, Page 13, Church to Be Seized.
- NSW Land and Property Information, *Crown Grant William Redfern 1816*, PA6165.
- <https://www.historyofaboriginalsydney.edu.au/central/1970s>
- William H. Wells, *A Geographical Dictionary or Gazetteer of the Australian Colonies, 1848*. This edition published in Sydney, The Council of the Library of New South Wales, 1970, p.357.

### 1.7 Site Location

Nos. 104-116 Regent Street, Redfern is located on north western corner of Regent Street and Margaret Street (Figure 1). The site is identified as Lot 10 D.P.1026349.



**Figure 1: Site Location.**

The subject site is outlined in red.

Source: SIX Maps, 2021.

## **2.0 THE HISTORICAL DEVELOPMENT OF THE SITE**

### **2.1 Gadigal Country**

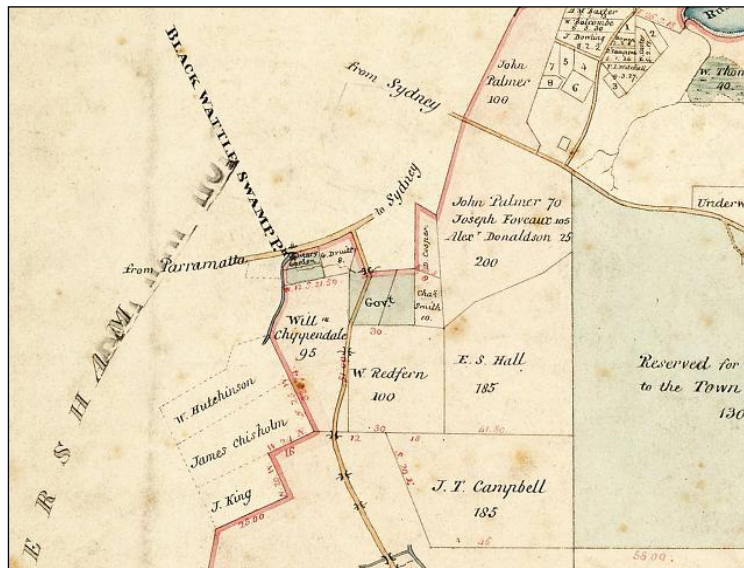
The traditional custodians of the present-day City of Sydney are the Gadigal and Wangal people. Redfern continues to support a vibrant Aboriginal community.

### **2.2 Redfern's Farm**

The Colonisation of New South Wales began at Sydney Cove on 26 January 1788. Ignoring the presence of the Aboriginal people, all land was declared to be Crown Land.

In December 1792, Governor Phillip established the boundaries of the Township of Sydney. The subject property lies outside these boundaries. Successive governors granted land outside the township boundaries in order to open up the land and augment the Colony's food supplies.

The subject property stands on the edge of a 100-acre grant made to Dr. William Redfern on 8 October 1816 under the hand of Governor Lachlan Macquarie. Redfern and his descendants would own the land until the early 1840s. While there is no evidence that Redfern ever resided on his grant, he would give his name to the suburb and, at a later date, the Municipality of Redfern. Refer to Figure 2.



**Figure 2:**  
Detail from an undated *Plan of the Parish of Alexandria, County of Cumberland, NSW*.  
NSW Lands, Parish Preservation Project.

Redfern (1774?-1833) had been a surgeon's mate in the Royal Navy when he had been sentenced to death for his role in the *Nore Mutiny* in 1797. The sentence was commuted to transportation and he arrived in Sydney in December 1801. Within three years, he had been granted a pardon. Redfern took charge of Macquarie's new hospital following its completion in 1816. In addition to his work at the hospital, he ran a flourishing private practice. Redfern was the most popular doctor in the Colony and could count among his patients the Macquarie and the Macarthur families. Redfern was a pioneer in public health and preventative medicine. He took a keen interest in convict health and ran a daily outpatient clinic for the convict work gangs and was instrumental in having surgeon-superintendents appointed to transport vessels. Redfern left government employment in 1818 when Macquarie's recommendation failed to secure him the newly vacated role of principal surgeon. Outside of his medical duties, Redfern played an active role in colonial affairs.

Redfern acquired a number of grants in addition to his 1816 grant, including a sizable estate of 1,300 acres in the Airds district, which he called *Campbell Fields* (1818). *Campbell Fields*, which became Redfern's principal place of residence upon his retirement from Government service, was later listed by Commissioner Bigges as being among the best developed grants in the colony. Redfern retired from medical practice in 1826 and devoted more time to his farming activities. He died while visiting England in July 1833, the owner of over 23,000 acres of land in New South Wales.<sup>1</sup>

Redfern's grant of 1816, including the subject site, was described as follows:

'One Hundred acres of land lying and situate in the District of Sydney – Bounded on the north by a west line of thirty chains, commencing at the south west corner of the Surry Hill Farm – On the west by a south line of thirty-four chains – On the south by an east line of thirty chains – and on the east by a north line of thirty-four chains passing through the swamp.'<sup>2</sup>

The approximate boundaries of the grant are formed by present-day Cleveland, Regent, Redfern and Elizabeth Streets.

<sup>1</sup> This and further information is provided by Douglas Pike (gen.ed.), *Australian Dictionary of Biography, Volume 2: 1788-1850 I-Z*, Victoria, Melbourne University Press, 1967, pp.368-70.

<sup>2</sup> NSW Land and Property Information, *Crown Grant William Redfern 1816*, PA6165.

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A number of conditions, typical of the period, were attached to the grant. These conditions were generally intended to promote the development of land and control land speculation. Redfern was forbidden to sell any part of the grant within the space of five years and was required to cultivate 20 acres within this period. The Government reserved the right to make a public road through the grant and any timber deemed fit for naval purposes. A Quit Rent of two shillings was set.<sup>3</sup> What the 100 acres were to be called is not indicated by the grant. Over time, the grant generally became known as *Redfern's Farm* or *Redfern's Estate*.

Redfern was not the only person to receive land within the present-day southern suburbs of Sydney during the early part of the nineteenth century. Bordering or close to Redfern's grant were large grants to William Chippendale, E.S. Hall, J.T. Campbell and three grants (made to Joseph Foveaux, Alexander Donaldson and John Palmer) which were combined by John Palmer into a large estate. The Chippendale, Hall and Palmer estates were all occupied and developed to varying degrees. Similarly, the more modest grant made to Charles Smith in 1809, known as *Cleveland Gardens*, was cultivated as '...a kitchen garden for satisfying, in part, the Sydney market.'<sup>4</sup> These early grants were to have a lasting influence on the area; their boundaries remain discernible in the present-day street pattern.

### 2.3 The Subdivision of Redfern's Farm

William Redfern and his wife, Sarah Willis, had two sons William Lachlan Macquarie Redfern (b.1819), who later resided in Edinburgh, and Joseph Foveaux Redfern (d.1830). Following Redfern's death in 1833, his 100-acre grant was inherited by his widow and his sole surviving son, William. Sarah remarried in 1834. Her new husband, James Alexander, appears on subsequent documents relating to Redfern's grant.

In 1842, Redfern's grant was conveyed to 'John Alexander and others.'<sup>5</sup> The land was subdivided into allotments and offered for sale by the auctioneer Mr. Stubbs on 16 March 1842.

At this time Sydney was mired in an economic depression. Although imports into New Wales had climbed from £490,000 in 1831 to close to £3,000,000 in 1840, much of this growth was funded on credit and loan.<sup>6</sup> As the centre of the colonial economy, Sydney felt the full impact of the economic depression that began in late 1840. Nevertheless, some progress was evidently made at Redfern. Six years after the 1842 subdivision and sale, Redfern was described in William Henry Wells's *A Geographical Dictionary or Gazetteer of the Australian Colonies* (1842) as:

'A township of N.S.W., situated at the southern boundary of the town of Sydney, in the parish of Alexandria, hundred of Sydney, and county of Cumberland, containing 865 inhabitants; viz.- 437 males and 428 females, and comprises 223 houses.'<sup>7</sup>

The earliest development on the estate was centres on Regent and Cleveland Streets. In 1846 the Cricketer's Arms Hotel, on the corner of Redfern and Pitt Streets, was constructed; the following year a Congregational Church was built.

George Renwick prepared survey of Redfern in 1864. This plan clearly identifies buildings on the subject site. Refer to Figure 3.

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<sup>3</sup> *Ibid.*

<sup>4</sup> Charles Smith Memorial, January 1810 cited in Tropman and Tropman, *South Sydney Heritage Study*, Volume 1. Unpublished study prepared for South Sydney Council 1988, p.24.

<sup>5</sup> See Application to Bring Lands Under the Real Property Act, No. 6165, NSW LPI.

<sup>6</sup> Statistics from Barrie Dyster, 'Wealth and Progress: Studies in Australian Business History' cited in part of online paper at <http://scholars.nus.edu.sg/post/australia/austecon.html>.

<sup>7</sup> William H. Wells, *A Geographical Dictionary or Gazetteer of the Australian Colonies*, 1848. This edition published in Sydney, The Council of the Library of New South Wales, 1970, p.357.



**Figure 3: George Renwick, *Plan of Redfern Municipality, 1864 (Detail)*.**  
City of Sydney Archives, City Trigonometrical Survey, Section 152.

## 2.4 Nineteenth Century Redfern

The population of Sydney underwent a seven-fold increase between 1850 and 1890. Redfern, located on the fringes of the township, was ideally situated to participate in this period of development. The growth of Sydney during the second half of the nineteenth century was heavily influenced by transport patterns. Nineteenth century Sydney was a 'walking city.' Public transport was limited and un-subsidised until the early 1880s. Working people were thus largely restricted to living close to their place of employment. During the 1850s, a horse drawn bus service opened between Redfern and Sydney. The fare of 6d was within the reach of a skilled tradesmen earning between £2 and £3 for a six-day working week. For those seeking local employment, there was an ever-growing range of industries. Noxious industries flourished in the well-watered areas of Waterloo and Ultimo after they were banned from the City in 1842. By this time, two large industries- Robert Cooper's Brisbane Distillery, opened in 1826, and Tooth & Co.'s Kent Brewery, opened in 1835- were well established in neighbouring Chippendale. At the other end of the scale were an ever-growing number of small-scale industries and market gardens. The opening of the Sydney Terminus of the Sydney to Parramatta Railway in 1855, to the south of modern-day Central Station, provided an added impetus for development and new opportunities for employment.

The residents of Redfern were among the first to take advantage of the passage of the *Municipalities Act of 1858*. Local government had been introduced into New South Wales in 1842 with the formation of Sydney City Council. Municipal government for the remainder of the Colony, however, was not introduced until the *Municipalities Act* was passed in 1858. The Act provided for the incorporation of an area on the receipt of a petition of at least fifty resident householders. Under the Act, a Council had the power to abate or remove nuisances, levy rates and borrow money. The Act provided for the care and maintenance of services such as public roads, bridges and water supply. This Act was ultimately replaced by the *Municipal Acts* of 1867 and 1897 and by the *Local Government Act* of 1919. Shortly after the passage of the Act in 1858, a petition seeking incorporation was signed by one hundred and sixty residents of Surry Hills, Redfern, Chippendale and the Waterloo Estate (1859). The Redfern Municipality would appear to have been an uneasy alliance from the first, and, in 1860, the vast area of the Waterloo

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Estate, the boundary of which lay just beyond the subject site, was separated to create a separate Borough.

Despite the loss of Waterloo and Alexandria, the population of Redfern Municipality almost doubled every decade between 1851 and 1891, rising from 1,200 in 1851 to 22,000 in 1901. By 1891, Redfern had the second highest density of occupation per acre of any of the inner-city suburbs.<sup>8</sup> When Redfern Municipality celebrated its 50-year Jubilee in 1909, the opinion was ventured that:

‘...though Redfern will continue to increase in importance, it cannot well increase in population because there is hardly a plot of vacant land in the whole municipality.’<sup>9</sup>

Redfern of 1909 boasted ‘22 miles of streets and lanes, around 5,000 houses, shops, including 8 churches, 73 factories, 36 workshops, 32 hotels and 53 stables’, all in an area of 68 square miles.<sup>10</sup> *Sands Directories* indicate that the number of dwellings increased only slowly after this date. According to this Directory, there were 4,861 houses in 1900 and 4,940 houses in 1925.<sup>11</sup>

Towards the end of the nineteenth century, the rapid and often haphazard development of Redfern and surrounding areas repeatedly attracted the attention of social reformers. Chippendale, Waterloo, Redfern and Surry Hills contained some of the most sub-standard housing in Sydney. Archdeacon Francis Boyce, rector of St. Paul’s Church of England from 1884-1930, played an instrumental role in highlighting the plight of his parishioners, providing evidence to government commissions, advocating change from the pulpit and conducting journalists on tours through the area. Motivations for resumptions were mixed. At one end, were the social reformers who sought improved living conditions for the working people of Sydney; at the other extreme were the industrialists who wanted inner city land for industry.

## **2.5 Regent Street in the 1880s and 1890s**

As the population of Redfern increased, *Sands’ Directories* began to list the streets of Redfern individually with a range of businesses listed within the area typical of a late nineteenth century high street, including greengrocers, butchers, confectioners, and photographers.

St Luke’s Presbyterian Church, which is adjacent to the subject site, across Margaret Street, was completed in 1883 and is variously designated in *Sands’ Directories* as the ‘Presbyterian Church’, ‘Redfern Presbyterian Church’, as well as ‘St Luke’s Presbyterian Church’. As set out below, this church is now listed as a heritage item.

The Rev T. J. Curtis worked hard to raise £4,000 to build the church. In 1884, to provide a future endowment for the church, the congregation borrowed a further £2,500 from the A.M.P. Society to acquire the leaseholds of the neighbouring properties, with the church building used as security.<sup>12</sup> Several cottages and shops were erected on this land. The investment proved a failure. After several years, the A.M.P Society were forced to advise that it would be necessary to seize and sell the church if repayments were not forthcoming. Although this outcome was avoided through renegotiation of the terms of the debt, the situation was indicative of the declining fortune of Redfern at the time.

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<sup>8</sup> Statistics cited in Max Kelly, ‘Picturesque and Pestilential: The Sydney Slum Observed 1860-1900’, in Max Kelly (ed.), *Nineteenth Century Sydney: Essays in Urban History*, NSW, Sydney University Press in association with the Sydney History Group, 1978, p.70.

<sup>9</sup> *Souvenir Municipal Jubilee, Redfern 1859-1909*, n.p.

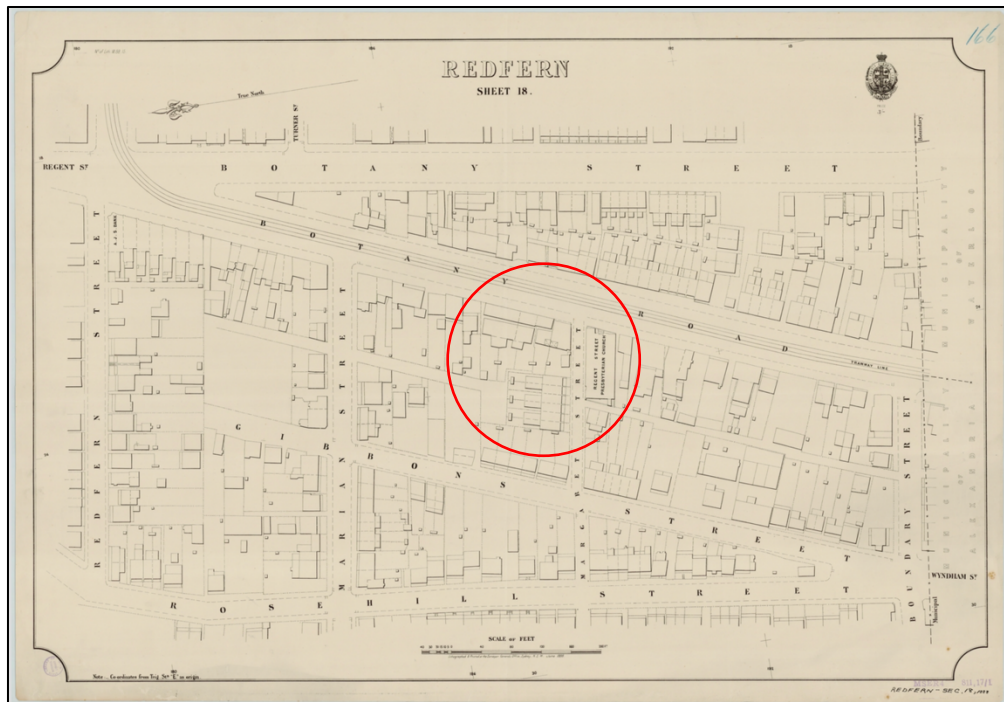
<sup>10</sup> *Ibid*, n.p.

<sup>11</sup> Cited at the beginning of the Redfern Section in the *John Sands Sydney and Suburban Directories* of 1885 and 1925.

<sup>12</sup> The Sydney Morning Herald, Thu 27 Apr 1911, Page 13, The Rev. T. J. Curtis and St. Luke's Church, Redfern; The Sydney Morning Herald Sat 15 Apr 1911, Page 13, Church to Be Seized.



Figure 4 provides a survey of the site and the surrounding area in 1888. The multiple buildings that had been constructed on the church owned land, opposite the subject site, are clearly defined. The subject site appears to have comprised a mix of commercial and residential buildings.



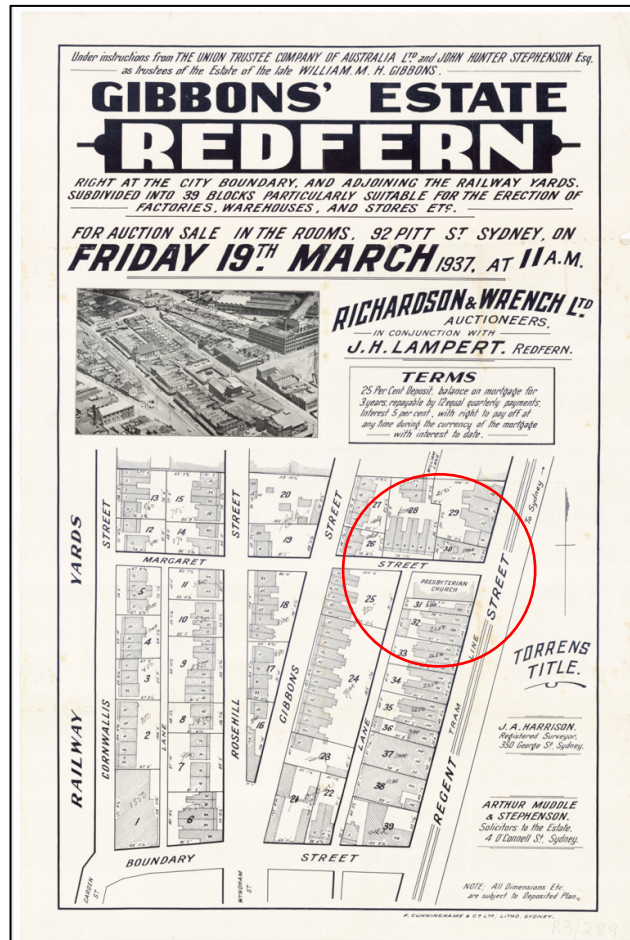
**Figure 4(a):** NSW Lands Department, *Sydney Metropolitan Detail Series, Redfern Section 18, 1888.*

St Luke's Presbyterian Church and the subject site are outlined in red.  
Source: State Library of NSW.



**Figure 4(b):**  
Detail of the  
above.

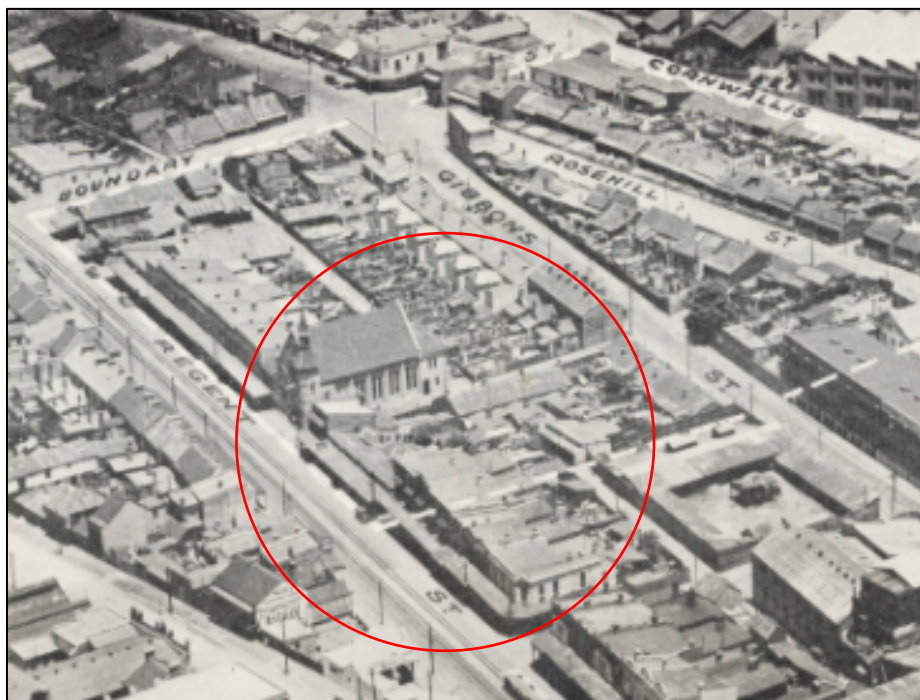
Figures 5 and 6 provide aerial photographs/surveys over the site and the surrounding area from 1937 and 1943 respectively. These photographs show the presence of industry side by side with residential dwellings in low scale buildings. Note how St Luke's Presbyterian Church was highly prominent in the streetscape at this time and the site appears to show the same arrangement of buildings in 1937 as it does in 1888.



**Figure 5(a): Gibbons' Estate Redfern (1937).**

The location of Nos. 104-116 Regent Street and St Luke's Presbyterian Church are circled in red.

Source: State Library of New South Wales.



**Figure 5(b): Aerial view of Redfern in 1918 from the Gibbons' Estate Redfern subdivision plan.**

St Luke's Presbyterian Church and the subject site are outlined in red.

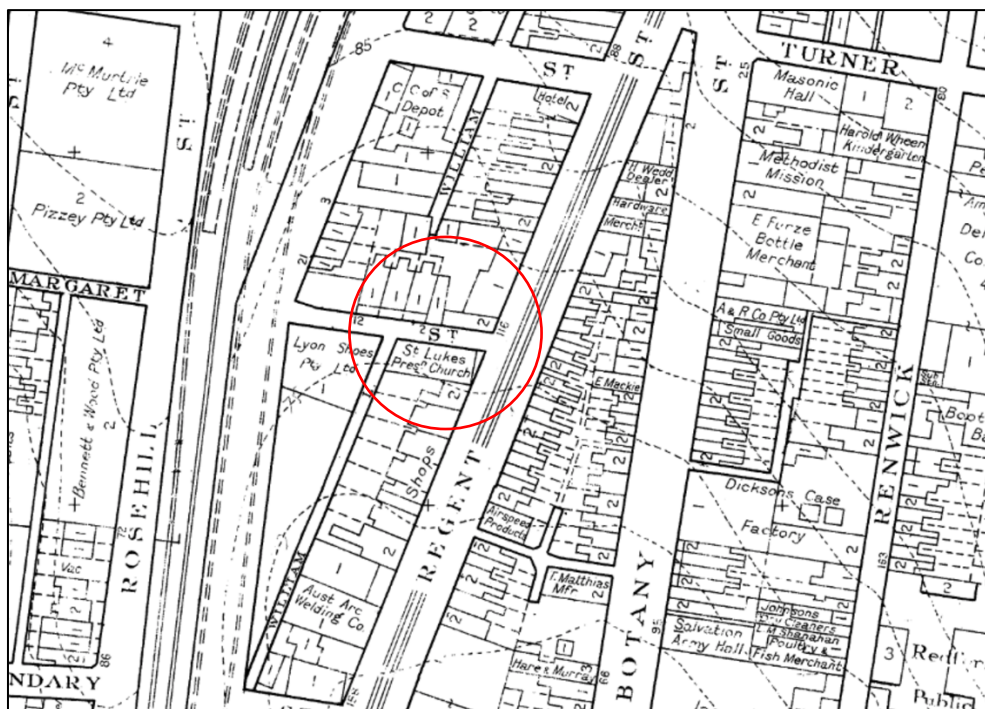




**Figure 6: Aerial photograph over the site and the surrounding area in 1943.**

The subject site is outlined in red.

Source: SIX Maps; annotation by WP Heritage and Planning.



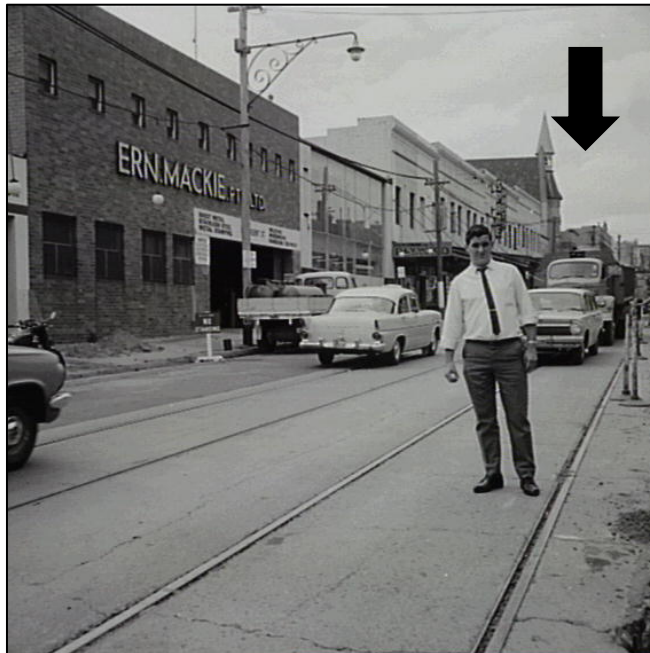
**Figure 7: City Engineer's Department, Civic Survey, 1938-1950, Redfern. The subject site and St Luke's Presbyterian Church are circled in red.**

Source: City of Sydney Archives

In 1970, the church had hosted the public meeting which resulted in the creation of the Aboriginal Legal Service.<sup>14</sup> Regent Street as it appeared around this time can be seen in Figure 8. As noted above, there is an existing DA (D/2020/1095) to demolish the existing structures on the subject site which has most recently been used as a BP

<sup>14</sup> <https://www.historyofaboriginalsydney.edu.au/central/1970s>

Service Station. The neighbouring Presbyterian Church was sold in 2017 and converted for use as a commercial kitchenware and hospitality equipment retail showroom.



**Figure 8: Accident site, Regent Street Redfern, 1965.**

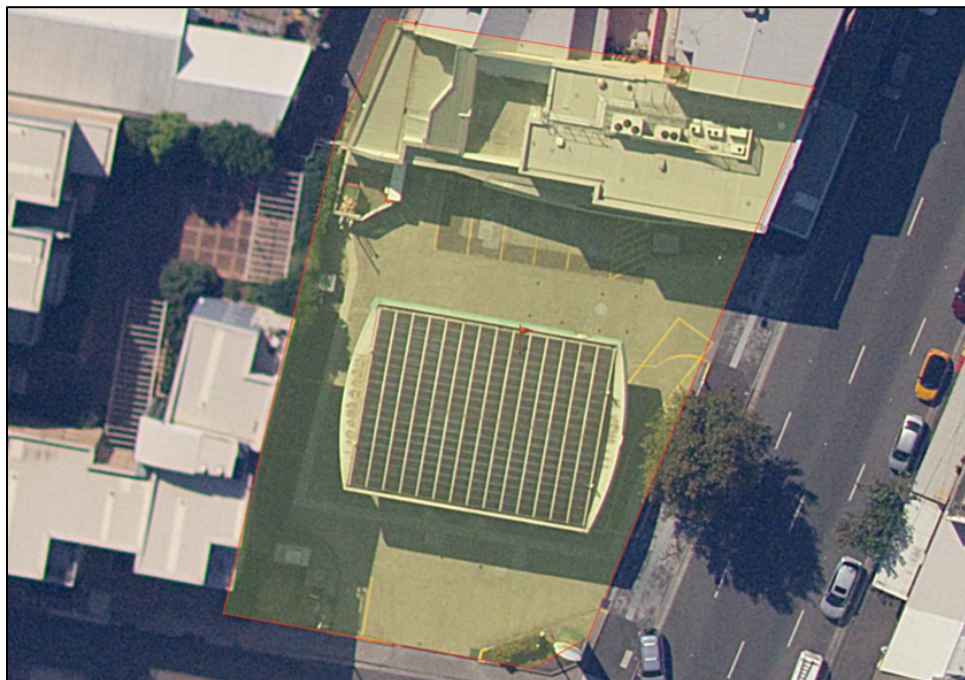
The subject site is indicated by the arrow.

Source: City of Sydney Archives

### 3.0 SITE ASSESSMENT

#### 3.1 The Site

For the following, refer to Figure 9, and aerial photograph over the site in 2021.



**Figure 9: Aerial map of Nos. 104-116 Regent Street. The subject site is outlined in red.**

SIX Maps, 2021: annotations in red by WP Heritage and Planning.

The site is irregular in shape and slopes down towards the southeast. It has a southern (Regent Street) boundary of 44.4m; a south western boundary of 4.67m; a western (Margaret Street) boundary of 23.36m; a northern boundary of 36.185m a north



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eastern (William Lane) boundary of 10.185m; and an eastern (Margaret Street) boundary. The site area is 1,366m<sup>2</sup>.

The northern boundary directly borders the south side of No. 98-102 Regent Street. The eastern and southern boundaries are open to Regent Street and Margaret Street. The concrete surface of the service station extending across the paths on both sides. Part of the western boundary extends along William Lane, with the remainder bordering 13-23 Gibbons Street.

The site is a former BP Service Station, which has ceased operation and has been cleared. The remaining structure on the site is a two-storey painted brick semi-detached building situated along the northern boundary, which fronts Regent Street. There is driveway access from Margaret Street along the southern boundary and Regent Street, on the eastern boundary. As noted above, there is a separate DA (D/2021/870) for the demolition of semi-detached building on the site.

Refer to Figures 10 to 15 which illustrate the site in February 2021.



**Figure 10:**  
The site viewed from Regent Street, showing the service station and the retail building that lies on its northern boundary.



**Figure 11:**  
View across the site on approach from the south east along Regent Street.



**Figure 12:**  
View across the  
site looking  
towards the  
north west.



**Figure 13:**  
View of the  
former car  
fuelling canopy  
looking  
towards the  
north east.



**Figure 14:**  
View of the site  
from across  
Regent Street.





**Figure 15:**  
View along the south elevation of  
the retail building.

### 3.2 The General Area

For the following, refer to Figure 16, an aerial photograph of the site and its surrounds.

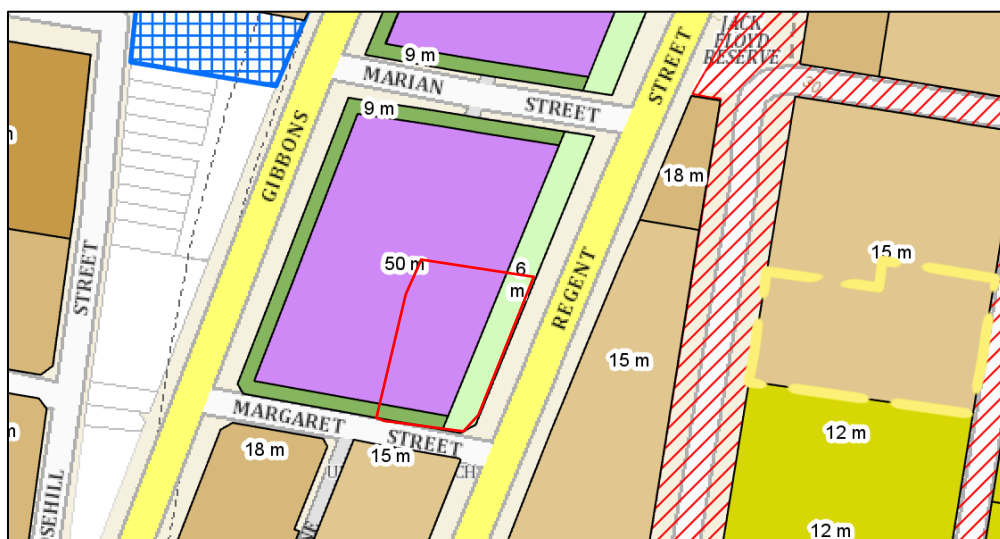


**Figure 16: Aerial photograph of surrounding area. The site location is outlined in red.**  
SIX Maps, 2021: annotation by WP Heritage and Planning.

Nos. 104-116 Regent Street is located within a densely developed mixed residential and commercial area of Redfern.

Buildings in this part of Redfern are typically either two-storey Victorian shop top terrace housing or multi storey apartment buildings that occupy a large part of their site area. They are often adjoining, producing a dense pattern of development. Rosehill Park and the Gibbons Street Reserve are located a block west of the subject site on land previously occupied by dense Victorian terrace housing and commercial buildings.

The Council's Desired Future Character for the area as expressed by the *LEP 2012* controls includes an allowed building height of 50 metres for non-listed sites in the area subject to redevelopment. Refer to Figure 17.



**Figure 17: Map of the surrounding area with the permitted heights identified. The site location is outlined in red.**

Planning Portal, 2021: annotation by WP Heritage and Planning.

### 3.3 Regent Street

The following considers the character of Regent Street in the vicinity of the site in greater detail.

Regent Street is a significant thoroughfare through Redfern and Chippendale that traverses residential, retail, and commercial areas, as well as the rail track approach to Central Station.

The road terminates at Harris Street in the north at the intersection with Broadway and at Botany Road in the south at the intersection with Henderson Road and Raglan Street.

The section of Regent Street on which the subject site is located is towards the south end of the road in a mixed area that includes residential, retail, and commercial uses. There are footpaths with medium irregularly spaced street trees. This section of the street allows for one-way traffic and parking to both sides.

Immediately adjoining the subject site to the north is Nos. 98-102 Regent Street which is built to its southern boundary. The building on this site is a late Post-Modern four-storey building with a 1998 date mark on the parapet.

South of the subject site, on the southwestern corner of Regent Street and Margaret Street lies St Luke's Presbyterian Church. As set out further in Section 4.2.1 below, the Church, a two storey Victorian Gothic style building, is listed as a heritage item by Schedule 5 Part 1 of the *LEP 2012*.

Opposite the subject site, on the eastern side of Regent Street, are a mix of 2 storey terrace buildings and three and four storey contemporary apartment buildings.

Refer to Figures 18-23 which illustrate Regent Street in the vicinity of the site.





**Figure 18:**  
View looking  
toward the north  
along Regent  
Street showing  
how the site lies  
within a setting of  
multi-storey  
buildings.



**Figure 19:**  
View north along  
Regent Street,  
illustrating the  
general  
character of the  
street. The  
green copper  
spire of the  
heritage listed  
Church opposite  
the site is just  
visible above the  
two storey  
terraces on the  
LHS of the image.  
The rest of the  
church  
concealed.



**Figure 20:**  
Looking north  
along Regent  
Street showing  
the developing  
cluster of tall  
buildings. The  
green spire of St  
Luke's  
Presbyterian  
Church is visible  
in the distance.



**Figure 21:**  
Regent Street at  
the junction with  
Cleveland Street  
showing the  
developing high-  
rise character of  
the area to the  
north of the  
street.



**Figure 22:**  
Nos. 98-102  
Regent Street  
adjoining the  
subject site to the  
north.



**Figure 23:**  
View across  
Regent Street from  
the subject site.



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### 3.4 Margaret Street

The following considers the character of Regent Street in the vicinity of the site in greater detail.

Margaret Street links Gibbons Street/Rosehill Park to the west with Regent Street to the east. The road is narrow and carries one lane of traffic only. The character of the street is mixed. It includes the subject site, which was formerly a service station, the heritage listed St Luke's Presbyterian Church and multi-storey apartment buildings. The latter are concentrated in the western half of the street. There are narrow concrete footpaths to either side and one street tree.

To the west of the site lies Nos. 13-23 Gibbons Street. A new student accommodation tower block is currently under construction on this site which will be of a similar scale to the proposed works.

Opposite the site on Margaret Street is the heritage listed church, described in Section 4.2.1 below.

Refer to Figures 24 to 27 which illustrate the site.



**Figure 24:**  
Looking east  
along Margaret  
Street .



**Figure 25:**  
Looking east  
along Margaret  
Street the subject  
site on the left  
and the heritage  
listed church on  
the right.



**Figure 26:**  
Looking west  
along Margaret  
Street with  
Rosehill Street  
Park in the  
background, the  
subject site on the  
right and the  
heritage listed  
church on the left.



**Figure 27:**  
Render of the  
future view from  
Rosehill Park of  
the building at  
Nos. 13-23  
Gibbons Street

### 3.5 William Lane

The following describes the character of William Lane.

William Lane is a service lane that is accessible via Marian Street to the north. There are garages, belonging to sites fronting adjoining streets, located alongside both sides of the street. The lane is narrow and intended for use by a single car at a time; there are no paths. Only a small part of the subject site borders this lane, including the two-storey building along the north boundary of the site.

Refer to Figures 28 to 29, which illustrate the lane.





**Figure 28:**  
William Lane,  
looking south  
with the subject  
site at the rear on  
the left.



**Figure 29:**  
William Lane, looking north away  
from the subject site.

#### 4.0 SIGNIFICANCE

##### 4.1 Summary of Statutory Heritage Listings for the Site

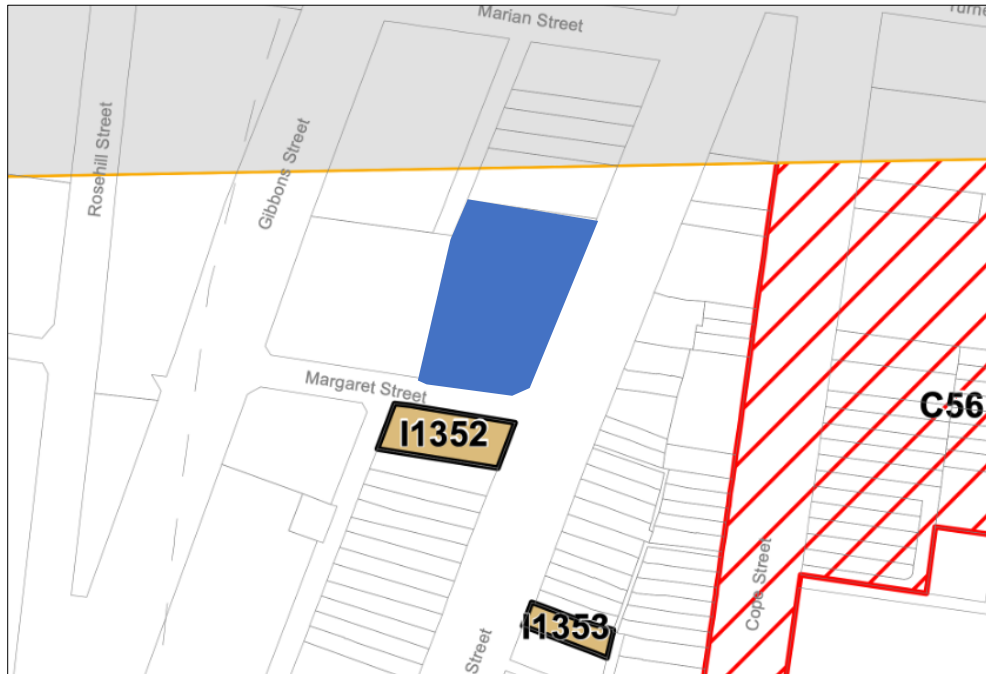
Nos. 104-116 Regent Street, Redfern:

- Is not listed as a heritage item by the *State Environmental Planning Policy (Major Development) Amendment (Redfern—Waterloo Authority Sites) 2012*.
- Is not located within a *Heritage Conservation Area* as defined by Schedule 5, Part 2 of the *Sydney LEP 2012*.
- Is not listed as a heritage item by Schedule 5, Part 1 of the *Sydney LEP 2012*.
- Is located within the vicinity of a heritage item per Schedule 5, Part 1 of the *Sydney LEP 2012*.
- Is not listed on the State Heritage Register under the auspices of the *NSW Heritage Act 1977*.

## 4.2 Heritage Items Within the Vicinity of the Site

For the following, 'within the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

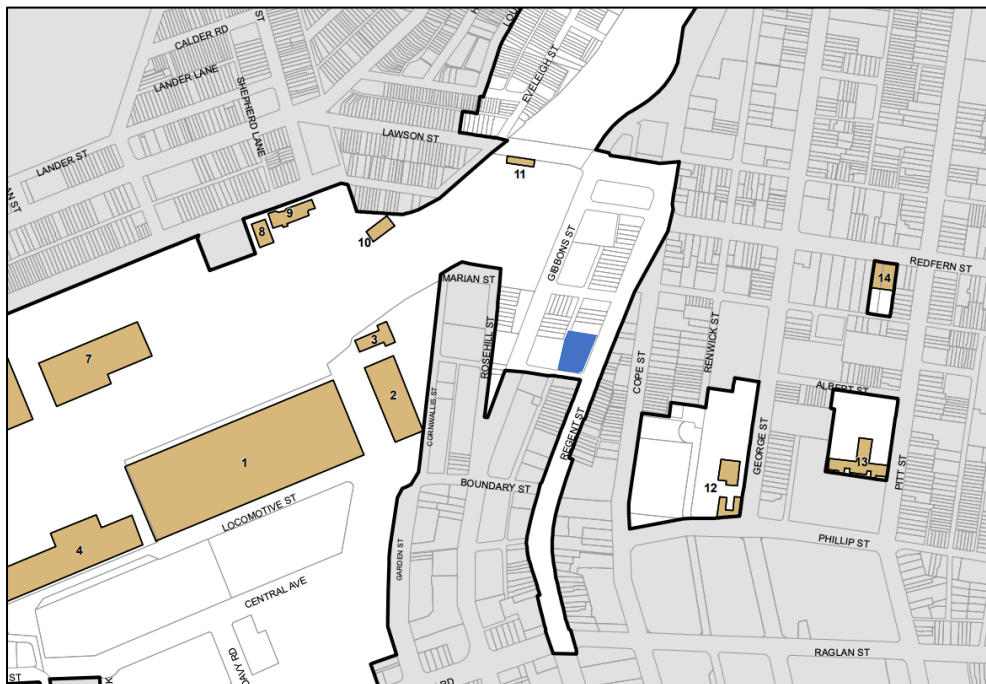
Refer to Figures 30 and 31, which shows heritage items within the vicinity and the wider vicinity of the site. In this plan, heritage items are coloured brown and numbered and Conservation Areas are hatched red. The subject site is outlined in blue.



**Figure 30: Plan showing heritage items in the vicinity of the site.**

The subject site is coloured blue.

Source: *Sydney LEP 2012* (Detail of HER\_016); annotation by Weir Phillips Heritage and Planning.



**Figure 31: State Environmental Planning Policy (Major Development) 2005 Redfern-Waterloo Authority Sites - Heritage Map. Detail of Sheet HER\_001.**

The subject site is coloured blue.

Source: *NSW Planning Portal*, annotation by Weir Phillips Heritage and Planning.

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#### 4.2.1 Local Heritage Listings

There is one heritage item listed by Schedule 5, Part 1 of the *Sydney LEP 2012* in the immediate vicinity of the site.

- **“St Luke's Presbyterian Church including interior”, 118 Regent Street (I1352)**

This item is located to the south of the subject site and is separated from it by Margaret Street. It is marked ‘I1352’ in Figure 38.

The history of this item was briefly discussed in Section above.

The Church is a Victorian Gothic style church. It has an asymmetrical façade with an integrated tower at the north-east corner and a high pitched roof clad in slate.

The principal elevation of the Church addresses Regent Street. The Church lies close to its Regent Street boundary, behind a low pallisade fence set into a low rendered hob. The Margaret Street elevation, addressing the site, is a secondary elevation that is built to the site boundaries. This elevation 6 bays divided by engaged piers, each bay has tall twin-arch windows.

Figures 32-37 below illustrate this item.



Figure 32: Corner view of the item from across Regent Street.





**Figure 33:** Corner view of the item across the subject site and Margaret Street.



**Figure 34:** View across Regent Street looking towards the west with the item on the left and the subject site on the right. Note how large tower blocks already form part of its setting.



**Figure 35:**  
View along the footpath on the western side of Regent Street of the item with the subject site to the rear.

The principal view corridors to and from this item are primarily obtained from directly outside of the item on Regent Street and Margaret Street.

The item is clearly visible from Margaret Street. On approach along Regent Street, however, it is largely concealed by adjoining buildings and street trees. The copper clad steeple and parts of the roof are, however, visible from some angles. Refer to Figures 34 - 35. As demonstrated by these photographs, the site forms part of the immediate setting of this item. As also demonstrated, the setting of the Church is changing as large-scale blocks are built on nearby sites that are not heritage listed. These towers form part of its established setting.



**Figure 36:**  
View looking south along Regent Street towards the site with the item on the left behind trees.



**Figure 37:**  
View north along  
Regent Street  
with the heritage  
listed Church (see  
Section 4.2 below  
) and much of the  
site concealed by  
the trees.

The State Heritage Inventory Listing Sheet for this item provides the following statement of significance for it:

*'St Luke's Presbyterian Church is a fine example of a Victorian Gothic Church which makes an important contribution to the streetscape and township of Redfern. It has social significance as a place of worship for the local community.'*<sup>15</sup>

It is noted that the social significance of the building as a 'place of worship for the local community' is no longer applicable due to its conversion for commercial use.

This item has a lot boundary curtilage.

#### 4.2.2 Other Local Heritage Listings

There are three Heritage Items listed by Schedule 5, Part 1 of the *Sydney LEP 2012* in the immediate vicinity of the site as well as one Heritage Conservation Area listed by Schedule 5, Part 2 of the same plan.

Item	Address	Item Number	State Heritage Inventory Listing Sheet Statement of Significance
<i>Terrace House Including Interior</i>	181 Regent Street REDFERN 2016	2421175	Of historic and aesthetic significance as a relatively early representative example of a Victorian Filigree style terrace.
<i>Eveleigh Railway Workshops</i>	Great Southern and Western Railway REDFERN NSW 2016	5045103	The Eveleigh Railway Yards are some of the finest historic railway engineering workshops in the world and Eveleigh contains one of the most complete late 19th century and early 20th century forge installations, collection of cranes and power systems, in particular the hydraulic system. The place is of international significance and is one of Australia's finest industrial heritage items. The value of the place is increased by the fact that it is comprised of assemblages, collections, and operational

<sup>15</sup> "St Luke's Presbyterian Church including interior", 118 Regent Street, Redfern, NSW 2016. State Heritage Inventory Database No.: 2421173.



			<p>systems rather than individual items. Conversely, the significance has been reduced by its closure, relocation of some machinery and its disassociation from the operating rail network. (State Projects 1995: 109)</p>
<i>Redfern Railway Station Group</i>	Great Southern and Western Railway REDFERN NSW 2016.	5012154	<p>Redfern Railway Station Group is significant at a state level as a major suburban station which played an important role in the development of the surrounding residential and industrial suburbs. The overhead booking office is a rare remaining example of the Queen Anne style of railway architecture and along with the 1884 station building on Platform 1 remain as some of the last examples of these types of structures to survive in the metropolitan area. The booking office retains its overall form and much original detail.</p> <p>The platform buildings on platforms 2-10 are consistent in design and represent the largest group of such buildings in the system at one site, reflecting the location's importance as a junction for commuters and for its access to the adjacent Eveleigh workshops. The addition of platforms and their associated platform buildings, including the Eastern Suburbs Railway, represent the importance of the Station as a commuter hub and reflect the expansion of Redfern Station and the Sydney network generally though the later nineteenth and into the twentieth century. Structures such as the air vents or chimneys connected to the underground engine dive, on Platform 1, are indicators of the adjacent industrial uses of the Eveleigh Yards and are unusual features on a suburban station.</p> <p>The early station buildings and structures indicate the high quality of buildings provided during the mid-Victorian period of railway construction and the former importance of Redfern as an industrial and residential area in the development of the Sydney suburbs. The pair of newel posts is an example of colonial cast-iron work and represents the end of the era of ornamentation brought about by Railway Commissioner Eddy.</p>
<i>Redfern Estate Heritage Conservation Area</i>	REDFERN NSW 2016	2421496	<p>The Redfern Estate Heritage Conservation Area is historically significant as an early Victorian structured subdivision covering the entire grant to William Redfern. The development of the estate from the 1840s - 1890s reflects the establishment of the Railway at Redfern. The importance of the suburb of Redfern in the mid/late nineteenth century is evidenced in the development of the Commercial Centre, the fine Civic buildings, the Park and the prestige housing on primary streets. The area is able to represent a great diversity of housing types dating from the period 1840 - 1890. Large scale factories and warehouses reflect the importance</p>

			of manufacturing in Redfern in the early twentieth century
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#### 4.2.3 State Heritage Listings

There are two heritage items of state significance under the *NSW Heritage Act 1977* within the wider area of the subject site.

Item	Address	Item Number
<i>Eveleigh Railway Workshops</i>	Great Southern and Western Railway REDFERN NSW 2016	5045103
<i>Redfern Railway Station Group</i>	Great Southern and Western Railway REDFERN NSW 2016.	5012154

#### 4.2.4 SRA s.170 Register

Item	Address	Item Number
<i>Eveleigh Railway Workshops</i>	Great Southern and Western Railway REDFERN NSW 2016	4801102
<i>Redfern Railway Station Group</i>	Great Southern and Western Railway REDFERN NSW 2016.	4801095

### 5.0 THE PROPOSAL

The following should be read in conjunction with the plans prepared by Antoniades Architects.

The following is proposed:

Demolition of existing service station building and construction of an 18-storey mixed-use building accommodating ground floor retail premises and 411 bed student housing accommodation with indoor and outdoor communal spaces, on-site bicycle parking and ancillary facilities.

### 6.0 EFFECT OF WORK

#### 6.1 Methods of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with Council's numerical controls except where non-compliance would result in a heritage impact.

The following assessment is made with an understanding of the objectives and controls provided by the *SSP SEPP 2012* and *Sydney LEP 2012* and the *Sydney DCP 2012* and the requirements for Statements of Heritage Impact set out in the Heritage NSW publication *Statements of Heritage Impact* (2002).

This assessment also takes into consideration the extensive consultation that has been undertaken with the State Design Review Panel to ensure that any impacts to the church are minimized.

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## 6.2 Effect of Work on St Luke's Presbyterian Church

The proposed works will have an acceptable impact on the significance of the item as it is defined above for the following reasons:

- The proposed works will have no impact on the fabric of the item.
- The proposed works will have no impact on the lot boundary curtilage of St Luke's Presbyterian Church.
- The proposed works fulfil Council's desired future character of the area as expressed by the *Sydney LEP 2012* controls. The immediate setting surrounding the Church will change over time in line with Council's prevailing strategic planning vision. With increased consolidation of Sydney's inner areas, it is more and more common that heritage items and conservation areas sit directly adjacent to development of a much greater scale. This has occurred in other areas adjacent to developing towns centres in Sydney including Surry Hills, Darlinghurst and Alexandria. In so zoning the subject site and the surrounding area, Council has accepted that there will be a level of impact on isolated heritage items within these areas. How this impact is mitigated is discussed below. It is noted that the subject site adjoins sites with built or approved higher density buildings which are similar to the proposed work on its northern and western boundaries.
- The proposal takes into account its proximity to the heritage item through the use of a 2-storey podium, which will provide a transition between the proposed density of the site, the Item and the existing 2 storey (mostly) Victorian street line along Regent Street. The levels above are set back well back from Regent Street and Margaret Street, which will allow the spire and street frontage of St Luke's Presbyterian Church to retain a level of prominence as the street is experienced at street level. The corner location of the Church will continue to assist in this regard.
- The podium level is broken into multiple sections by vertical fin elements, this responds to the fine grain quality of the historic Victorian and Federation era streetscape that formed the original setting of St Luke's Presbyterian Church to the north and continues to do so to the south.
- The proposed works will not block any historically significant view corridors to or from St Luke's Presbyterian Church, as the presently exposed northern wall along the Margaret Street boundary was originally obscured by neighbouring nineteenth century terraces.

Given the above, the proposed works will have an acceptable impact on the ability to understand the former St Luke's Presbyterian Church as a fine example of a Victorian Gothic Church which makes an important contribution to the streetscape and township of Redfern.

## 6.3 Effect of Works on Heritage Items in the Wider Area

The tower will be visible above/behind intervening buildings in the wider setting of other nearby Heritage Items including *Terrace House Including Interior, Eveleigh Railway Workshops*, and *Redfern Railway Station Group*, as well as *Redfern Estate Heritage Conservation Area* and/or in view corridors to/from them. The impact will be acceptable because it will read as being one of a growing cluster of tower blocks of a similar massing, scale, and character within the wider setting of these items in line with the controls as outlined by the Sydney LEP. The proposed work won't block significant view corridors to/from the Heritage Items of the Heritage Conservation Area.

The evolving context in which the proposed building will be constructed (including the developments at No. 11 Gibbon Street and Nos. 13-23 Gibbon Street.) includes several towers of a similar form and scale to the subject site which will block views to and from the Heritage Items. The proposed work will therefore have a minimal and acceptable impact on the Items.

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## 7.0 CONCLUSION

This Heritage Impact Statement has been prepared in conjunction with a DA for the construction of an 18-storey building at Nos. 104-116 Regent Street, Redfern.

The subject site is not subject to any statutory heritage listings (i.e. not an item or a conservation area) but lies adjacent to St Luke's Presbyterian Church, which is identified as a heritage item by Schedule 5 Part 1 of the LEP 2012. The site also lies within the wider setting of three heritage items of Local or/and State Significance, the Terrace House Including Interior, at 181 Regent Street, Eveleigh Railway Workshops, and the Redfern Railway Station Group.

The proposed works will have an acceptable impact on the adjacent heritage item for the following reasons:

- The scale of the proposed building is acceptable because the area is already characterized by a range of building sizes including multi storey accommodation buildings. The character of the area will continue to change as non-listed heritage site are redeveloped in line with Council's desired future character of the area as expressed by *LEP 2012* controls.
- The use of a two-storey podium and the setback of the levels above provides a transition between the proposed density of the site and St Luke's Presbyterian Church.
- The proposed works will not block any historically significant view corridors to or from St Luke's Presbyterian Church. The present view corridor which exposes the north elevation of the Item when view from the north on Regent Street across the subject site was never intended.
- The proposed podium along the Regent Street elevation allows for views to the spire of the church from positions well to the north on Regent Street thus further maintaining the prominence of the church in the streetscape.

The height of the tower will make it visible from other heritage items listed by the *LEP 2012* and under the *Heritage Act 1977*. The impact will be minimal and acceptable because the proposed work will appear as part of an already established cluster of buildings in line with the Council's Desired Future Character for the area as expressed by the *LEP 2012*.

The final design has been subject to a rigorous assessment and iterative review, including major refinements to address the church building, and to ensure further mitigation measures are not required. This process means that the church retains its presence in the streetscape and that there is sufficient separation between the church and the proposal to allow an unobstructed view to the side elevation of the church when viewed along Chapel Lane from both Regent Street and Wyndham Street.

The proposed works fulfil the aims and objectives of the *SSP SEPP 2012*, the *Sydney LEP 2012* and the *Sydney DCP 2012* by increasing the provision of housing, in this case for the use of students, while respecting the historic and aesthetic significance of the former St Luke's Presbyterian Church and heritage items/conservation areas that are further removed.